CHRISTMAS IS COMING.

PRICE ONE CENT.

NEW YORK, MONDAY, DECEMBER 17, 1894.

DIVVER, P. J., AT THE BAR,

The Police Justice Accused of Misdemeanors and Malfeasance in Office.

NO ANSWER WAS RETURNED.

His Lawyer Moves to Dismiss or the Grounds of Vagueness and Absence of Proof.

PROSECUTOR HALE OBJECTS.

He Declares the Charges Were

the Lexow investigation, across the

the Lexow investigation, across the broad rotunds to the Court of Common Pleas, where Police Justice Patrick Divver had been summoned to answer the charges brought against him by the five taxpayers, represented by Lawyer W. H. Hale, and to show cause why he should not be removed from the judicial bench.

These extraordinary impeachment proceedings require the attendance of the full bench of the Court of Common Pleas, which consists of Chief Justice Joseph F. Daly, and Judges Henry W. Bookstaver, Henry Bischoff, jr., Roger A. Pryor, Leonard A. Giegerich, and Miles Beach, and special rules have been adopted for the conduct of the case.

The charges against Divver were filed Nov 77 and at the time have as allowed.

The charges against Divver were filed Hale Pleads Novelty of Proceedings



JUSTICE PATRICK DIVVER. a police justice; in having committed a brutal assault upon Liquor Dealer Morris Tekulsky, and engaged in a public brawl; in having instigated violations of the Election law by assisting in fraudulent registration and voting, and in having been engaged in the greengoods business with the notorious Edward Parmeley Jones, with whom he is alleged to have divided the profits of the swindle.

swindle.

Justice Divver's chief counsel in these proceedings is ex-Surrogate Daniel G. Rollins, and associated with him is Lawyer Abraham Levy. They were among the earliest comers this morning and arrived in the court-room before the crowd had been admitted. Justice Divver accompanied them, and it was said that he was prepared to make a general denial of the charges.

Levy Expects a Dismissal. Lawyer Levy stated that while he did not then do to his morning in Essex Market Court in default of 1800 ball.

Detective Hall claims he entered the saloon, drank a glass of whiskey, and declared that he expected to see the bottom fall out of them.

"The proceedings are of such a nature that on this account I think we should go about answering these charges very deliberately," said he.

Justice Divver looked somewhat worried, despite the assurances of his counsel. He was sprucely dressed, and after taying his glossy silk hat upon the table, began to finger nervously a budlet of documents, which he had brought win him.

of documents, which he had brought with him.

The Judges filed into the court-room at 16.30, and took their places upon the bench. They were all present except Judge Boach Chief Justice Daly announced that he and his associates were ready to hear the answer of Patrick Diver to the charges that had been preferred against him, and ex-Surrogate Rollins arose to abswer for his client.

Rollins arose to answer for his client.

Second Warders Out in Force.

The doors had been opened meanwhile, and every available place in the court-room had been taken possession of by the crowd of Second Warders, who had come out to support and encourage their leader.

Mr. Rollins began by saying that he did not think Justice Divver should be asked to make any answer at present to the charges against him, as he had not time fo prepare to meet them.

"This is a novel and infrequent provice ceeding, and counsel are not decided as Ge to whether these charges should be for taken up one by one and disposed of its exparately, or whether they should be immediately on the whole series at once," let he remarked.

Mr. Rollins went into a long and sene-be ral discussion of the charges, and desse clared that they were vague and indefinant its and that it would be unfair to compal is were made more specific.

"I think there ought to be some affirm the company of these charges between they can properly be brought to the subject of the attention of this Banch." said he made in the attention of this Banch." said he had be attention of this Banch." said he

presentation of the case against the de-

He then went over the charges separately, and declared that in each of the foor counts no definite facts were presented, and that all the accusations were so vague and uncertain, both ax regards time and place, that they should not be entertained by the Court, in their present form at least.

He pointed out that all the charges were made upon information and belief, and that the affidavit of William H. Hale, the Brooklyn lawyer, who appeared as attoragy for the six tax-payers, was no stronger than the statement of his clients.

Mr. Rollins insisted that the technical objection which he made was valid, and that the charges should not be entertained.

"Then this is, in effect, a motion to dismiss the charges should not be entertained."

"It is, Your Honor," replied Mr. Rollins, "on the first ground that there is no sufficient affidavit accompanying the charges, and on the second ground that there is a want of specific statement as to the source of information of these six taxpayers, who say that they only make the charges on information and belief." Says the Charges Are Vague.

The Six Signers to the Charges.

The Six Signers to the Charges.

The names of the six accusers of Justice Divver are Franz Kohlenberg, Charles E. Sprague, Isaac K. Funk, Henry V. Parsell, John F. Harrison and Nathaniel H. White, and Mr. Rollins said that there was no evidence that any one of them knew anything personally in regard to the matter with which they charged the Police Justice.

In reply, Lawyer Hale, who was unsupported by any other counsel, stated that in the absence of precedent he thought the charges should be regarded in the nature of an ordinary complaint. He maintained that it was not necessary to have any affidavit in support of the charges, which were based upon sworn testimony taken before the Lexow Committee or were matters of notorious report, and known to every citizen.

"I believe them to be true," shouled

Swern to Before Lexow and Are

Matters of Common Report.

Matters of Common Report.

Public interest was shifted to-day from the chambers of the Superior Court and the Lexow investigation, across the Intimation of Lexow investigation. Intimation of Underhand Work.

After hearing further argument on both sides, Judge Daiy announced that as the objections of counsel to a want of form as well as the substance of the charges, the Court would consider the motion for a dismissal of the charges and take an adjournment till 2 o'clock, when it would reconvene and announce its description.

when it would receive against Justice its decision.

The additional charge against Justice Divver preferred by Lawyer Hale stated that prior to and during his incumbency of the Police Justiceship Divver had repeatedly and habitually conducted and abotted false and fraudulent registration and false and illegal voting and frauds in the making of election returns.

twenty men who were in the saloon forcibly ejected him.

Hall declares he got his right foot between the door so that it could not be closed. He alleges that he then blew his whistle and a policeman came to his assistance, when for a second time he made Karp a prisoner. Karp, Hall says, offered him money to let him go. Karp denies this, and insists that the detective broke down the doo- leading from the hallway into his saloon and made him a prisoner. He denies selling the detective a glass of whiskey. The examination in the case was set down for to-morrow.

Policeman Zimmerman, of Inspector Williams's staff, also had an exciting experience in making an excise arrest. Zimmerman has a boyish appearance. He entered columbia Hall, ils Columbia street, yesterday, and arrested Jacob Feistein, the bartender. Harry Fried, son of the proprietor, doubted that Zimmerman was a policeman. He ordered the officer away, and threatened to blow his head off unless he went at once.

Zimmerman went, but the son went with him as a prisoner. Justice Peitner held him in default of 1300 bail to keep the peace towards the officer for the next three months.

A Little Wall Street Deal. Justice Gaynor, of the Supreme Court, Broc

Dady Wants His Money. Justice Culien, sitting in the Supreme Court, this morning was saked to issue a persengtory writ of mandamus to compet Supervisor Beauti. of Gravesand, to issue 130,000 worth of bonds to pay Michael J. Dady for opening and graffing

MORE INDICTMENTS? CALLED UPON DUCEY.

Thorne's Confession Gives Rise to Belief that Archbishop Corrigan Startling Rumors.

Chairman Lexow Hints at Great His Grace Preached on "Charity" Developments This Week.

Testify To-Morrow.

The Grand Jury came in at 1.30 o'clock this afternoon, and it is said that thehy have found new indictments against po-

Whether that is so or not it is quite issued for Police Captains, and that arrests will probably be made this after-

Thes warants, it is believed, were is-

will be speedy and effective.

It was learned this morning that

would say upon what business there, there.

Mr. Goff had not arrived at his office at a late hour this morning, and the clerk in charge was uncertain whether he would be there at all to-day.

Chairman Lexow got in from Nyack quite early. He refused to say whether or not any of the other accused police captains had announced their intention of "squealing."

frauds in the making of election returns.

The case of Charles Harris, the Lexow witness, was specified. It was charged Diver had caused him to register and yote in seventeen election districts in 1893.

LIVELY EXCISE ARRESTS.

Cone Detective Told to Go Out or Have His Head Blown Og.

Devid Karp, a saloon-keeper, of 259 East Broadway, and Central Office Detective Wesley F, Hall don't agree on a Sunday excise arrest. Karp was held this morning in Essex Market Court in default of 1890 ball.

Detective Hall claims he entered the saloon, drank a glass of whiskey, and Central Court in the police force."

One Detective Hall claims he entered the saloon, drank a glass of whiskey, and Central Court in the police force."

ex-Capt John T. Stephenson postponed later than Thursday, the date which Justice Ingraham had set.

To-day the time for filing the bill of exceptions expired, and Mr. Shafer wanted more time.

When Justice Ingraham took his seat Mr. Shafer moved that the sentencing of Stephenson be put off until Tuesday of next week.

"That's Christmas," said Justice Ingraham graham. "Well, will Your Hopor sit here next

Saturday."
"No; make it Friday."
"Very well. I think I can make that,
Thank Yr Honor," and the portly lawyer left the court-room.

MORAL CRUSADE IN 'FRISCO.

Clergymen There Inaugurate a Parkhurst Movement. BAN FRANCISCO, Dec. 17.—The convince himself that Winter had arrived. He clergymen of this city are arranging for gave it up this morning and came to the conthe organization of a movement here similar to the Parkhurst plan for the improvement of municipal morals. the improvement of municipal morals.

Rev. J. Cummings Smith, pastor of Trinity Presbyterian Church, who has been communicating with Dr. Parkhurst, took the initiative.

A union movement has been inaugurated by the local organizations of rated by the local organizations of Presbyterian, Methodist and Baptlet ministers to take concerted action. If the California Legislature does not appoint an official Purification Committee the ministers will conduct the investiga-

and the Priest are Reconciled.

in St. Lee's Church.

Inspector Williams Expected to The Parochial Visit Attended with Great Good Nature on All Sides.

Archbishop Corrigan and Rev. Father Ducey met to-day for the first time since the beginning of their contraversy lice officials who have not yet been over the latter attending the hearings of the Lexow Committee. As a result, Whether that is so or not it is quite a perfect reconciliation is believed to certain that bench warrants have been have taken place. This is thought to have been brought about by advice of Mgr. Satolii, when he was here last

The occasion of the meeting was the sued as a direct result of Thorne's con-fession.

The occasion of the Archbishop to Fession.

St. Leo's Parish. According to the de-This is to be the Lexow Committee's crees of the Council of Trent and reweek to go from Higher Up to Highest iterated by the Baltimore Council later Up, and Lawyers Goff, Jerome and each Bishop is compelled to visit every Moss are confident that the ascension church within his jurisdiction at stated

He is to examine the church property, the pictures, vestments, relics and the



"Our Committee has achieved such wonderful success." he said, "chiefly because we never proclaim from the housetops to-day that which we mean to do to-morrow.

"This much I will say, however. We expect before the end of the week to put a fitting climax to the work of the Committee. We expect to clinch each and every important fact that has come to our notice."

"Is it then to be inferred that you intend going still higher up" was asked.

"I'd rather not make a direct reply to that," said the Senator, with a smile, "but it means that by the time I have were thinking person in this city to the belief that remedial legislation is needed in the police force."

STEPHENSON'S DAY OF GRACE

Lawyer Shafer Gets the Time for Sentence Postponed Until Priday.

Lawyer Ira Shafer appeared in the Court of Oyer and Terminer this morning to get the time for the sentence of ex-Capt. John T. Stephenson postponed later than Thursday, the date which Justice Ingraham had set.

To-day the time for filing the bill of exceptions expired, and Mr. Shafer would be given out.

When Justice Ingraham took his seat Mr. Shafer moved that the sentence of want of more time.

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Had a "Knock-Out" Drink. James McDowney, a farmer, from New London, was found in a sent-conscious condition by a policeman at Broadway and Worth street last night. When arraigned this morning at the

Who Stole the Winter? Sergt Dunn, of the Weather Bureau, has been

Gov. Flower Says He Has Not Yet Considered the Matter.

School in Time for the Christmas Tree.

Gov. Flower is in the city to-day, having come down from Albany in order to attend the funeral of Adjt.-Gen. Josiah

An "Evening World" reporter saw the Governor at the Windsor Hotel to-day, and asked him about a report that a strong effort will be made to induce him to commute the sentence of "Bat" Shea, who is now awaiting execution, to imprisonment for life. Shea is the Troy ern cities. Shea is the Troy prisonment for life. 'heeler" who killed Robert Ross, the Republican watcher, at the Spring elec-

tion in Senator Murphy's home.

The Governor replied that he could not the Governor repairs that the development of the announcement of his official decision, but that he would say that he knew nothing about this particular case at all. If any such petition is preparing, he does not know of it.

HANCOCK DENIES A STORY.

About Extra Judges. ALBANY, Dec. 17 .- Attorney-General Hancock this morning denied the state-ment that he had visited Governor-elect Morton at Rhinecliff, and Thomas C. Platt, at New York, and had decided that the Governor-elect could not ap-point the extra Judges of the Supreme Court. Mr. Hancock said:

COUTI. Mr. Hancock said: I have not seen Gov. Morton since election. I have never had any communication with him orthe subject of the new judges. My advice has not been asked or given concerning this appointment, and I was never in Rainselff. I did not have any conference with Mr. Platt in New York. The entire statement is without any journation. VAN COTT DOESN'T WANT IT.

County Convention to morrow night, and the slates are all complete. Both the broadfield and the Platt factions professionfidence in their ability to win.

Set Fire to a Big Rat.

Myer Rosenberg, of 12 Ludlow street, was held default of \$500 ball for trial to-day in the ex Market Police Court for cruelty. Poli

The Gas Commission met to-day and decided The Gas Commission fiel to-say an secure put 200 naphtha lamps in Central Park. This is a new departure, the Park never having been adequately lighted herestoffers, although the board has frequently been patitioned to provide some such system. The contract was awarded to the New York, and New Jersey Gas Light Comman, at \$22 per famp for the year of 1836, or \$4.450 in all.

iding office in the Board. Official action will

Alleged Beggars Held for Trial. John Maloney and James Kelly, who tried to assult William S. Work, of 22 East Seventeenth

WILL HE SAVE "BAT" SHEA? EUGENE KELLY, SR., DYING.

He May See Another Day. Eugene Kelly, sr., the banker, I

worse this morning.

The doctors left his bedside at o'clock this morning and returned at

EUGENE KELLY, SR. and been asked or given concerning this apniment, and I was nover in Rhinsells! I did
have any conference with Mr. Flatt is New
A. The entire statement is without any
ndation.

AN COTT DOESN'T WANT IT.

Names Lauterbach for President

A Committee.

Names Lauterbach for President

A Committee.

During the war he moved his business

He Names Lauterbach for President of the County Committee.

Cornelius Van Cott said to-day that he is not a candidate for President of the Republican County Committee for 1856, and that he would not accept the place. He said he was for Edward Lauterbach, which is quite proper, for Mr. Lauterbach is for Mr. Van Cott.

The various Assembly District Conventium will elect the 155 delegates to the treatment of the County Committee for Mr. Van Cott.

The various Assembly District Conventium will elect the 155 delegates to the

FUNERAL OF GEN. PORTER. Regulation Military Honors Will Be Paid Him.

Notwithstanding the personal wishes of the family of the late Adjt.-Gen. Josiah Porter, that the funeral ceremonies be as simple and private as possible, the services will be attended by the regulation military honors. Out of respect for the family's request,

however, the militia will not form in the vicinity of the Porter residence, on East One Hundred and Twenty-fourth street, but on Fifth avenue, in front of St. Andrew's Church, at One Hundred and Twenty-seventh street, where the function of the services will be held.

The services will be held.

The services will be conducted by the rector, Dr. George R. Van DeWater.

The milital that will take part is the Twenty-second Regiment, of which the deceased was a Colonel at the time of his appointment to the Adjustant-Generalship: Troop A, in command of Capt. Rowe, and the First Battery, Capt. Louis Wendell commanding. Col. Camp. will command the Twenty-second.

After the services he procession will march down Fifth avenue to One Hundred and Sixteenth street, to Fifth avenue to Forty-second street, to fifth avenue, to Forty-second street, to the Grand Central Depot. The interment will be at Mount Auburn, Cambridge, Mass., to-morrow. Gov. Flower and staff will attend the church services in full uniform.

Mgr. O'Connell Now. but on Fifth avenue, in front of St. An-

v. Dr. Juseph P. O'Connell, paster of the an Casholio Church of St. Mary, Star of the Court and Luqueur streets, Brucklyn, this

SISTER FRANCOIS INJURED. able Car No. 172 Knocks Her Down

on Third Avenue. Sister Francois, sixty-three years old, One Hundred and Fortieth street, while crossing Third avenue at One Hundred and Third street, was struck by cable car No. 172 this morning. She sustained a concussion of the brain, and was removed to the Harlem Hospital.

ABHEVILLE, N. C., Dec. 17.-Miss Stevenson, faughter of the Vice-President, was a little hetter yesterday, and her father left for Washingto to remain a few days. There was no change in Miss Stevenson's condition last night

Once Millionaire, Now Poor. Count Joseph de Susini, who was at one time

Mayor Hopkins Has Throat Disease. throat. Arduous work during the campaign has made it difficult to conquer the disease. He will start East to-morray to consult a specialist.

His Death Was Sudden. At \$ 20 o'clock this morning. Thomas Cowleky, fity years old, died suddenly at his residence, 416 East Pourisenth street. The Coroner was notified.

CARLISLE'S PLAN. Not Likely to Be Voted Upon Before the Holldays.

WASHINGTON, Dec. 17 .- The plan of urging Secretary Carlisle's scheme for a revision of the currency before the holidays has been abandoned. Many Democratic members of the House are opposed to hurried action. Speaker Crisp learned from several members of the Committee on Banking, that they were not insistent on such speedy action as

would occasion criticism.

It is apparent that Chairman Springer's pan of getting a vote by Friday next cannot be carried out. No formal action of the Rules Committee was taken, but it was tacitly agreed to drop the plan for a vote before the holidays. A general understanding was reached that he report would be made to-day. Mr. Springer may then call up the bill for debate to-morrow, allowing it to run until the holiday recess, the debate being resumed after the recess. He has a right to proceed, as the bill is privileged. Some of Mr. Springer's associates on the Banking and Currency Committee, believe in waiting until after the holidays before beginning the debate.

SENATE HAS LAMONT'S REPLY

Report.

WASHINGTON, Dec. 17.-The Senate

PRICE ONE CENT.

AM GUILTY, SAYS SEELY.

The Bank Robber Admits His Wrong-Doing in Court To-Day.

STILL RETAINS HIS NERVE.

Walked Firmly to the Bar to Plead, Unconscious of the Caping Crowd.

HIS LAWYER NOT ON HAND.

But in Any Event the Defaulter Says He Would Not Have Changed His Determination.

Samuel C. Seely, the defaulting book-keeper of the National Shoe and Leather Bank, pleaded guilty of embezzler and making false entries, before J Benedict, in the United States this morning. He was remanded for sentence.

Seely was taken to the Federal Building from Ludlow Street Jail at 10.50 by Deputy United States Marshal Hurley. He was not handcuffed like great consideration. Judge Benedlet took his seat on

twenty-five minutes to dispose of the routine work, and while thus engaged All the Good Little Boys Are Hurrying to Join Supt. Strong's Sunday-Seely was ushered into court by United States Marshal McCarty and a bevy of deputy marshals. He was placed in the pen with other malefactors, and went to the further window and looker fully fifteen minutes. Neither his wife nor his attorney was present in co At 11.15 o'clock Seely was call

the Bar. He walked steadily, appared unconscious of the many curious glar cast upon him.
"Samuel C. Seely, you have been dicted for abstraction and making frentries. How do you plead?" said Co Clerk Heary I. Thurnton.
The prisoner cast one look on six side, and lowering his eyes to the fireplied in an almost inaudible vo "Guilty."

replied in an almost replied in an almost replied in an almost replied in an almost replied in the second replied in the Marshal's office. He refused to speak to reporters, but expressed himself somewhat freely to Marshal McCarty.

anyway, and I want to get it all over with."

Seely was taken back to the Ludlow Street Jail after court adjourned.

He was up at 7 o'clock this morning and had his breakfast at the table of Warden Fox in Ludlow Street Jail. For the privilege of meals at the Warden's table he pays 15 a week.

His wife and child called at the fail on Sunday, and the officers may be Warden's table he pays als a week.
His wife and child called at the
jall on Sunday, and the officers say the
meeting was very affecting. Seely was
unnerved at first.
Mrs. Baker, the widow of Prederict
Baker, who Seely says got all of the
big theft excent \$10,000, defends he
dead husband, and intimates that ther
is a conspiracy to cover up misdoings
by making Mr. Baker a scapegoat.

TAIT PLEADS NOT GUILTY.

John R. Tait, ex-bookkeeper in Chemical National Bank, who was funds, was arraigned before Judge Benedict in the United States Court to-day to plead to the indictment.

He was brought to the bar immediately after Defaulter Seely had admitted his guilt, but unlike his predecessor he pleaded not guilty, with the priviler of withdrawing his piea next Thursday.

Tait looked in much better health than when he was arrested last week. He is out on \$10,000 ball.

The following pleas of guilty to indictments were made by the several defendants:

Gearge Gartner, a letter-carrier at station "E," charged with stealing valuable letters; Adolphus Stevens, postal clerk at station "E," stealing valuable letters; Neil Hepburn, ex-Postmaster al City Island, not accounting for 4,70 postal revenues. funds, was arraigned before Judge Ben-

Schooley in Prison Now. The trial of William Schooley was recumed before Judge Martine, in Part L of the Court of Jeneral Pessions, to-day. Schooley nearly a year

The bay off quarantine presented an unu-lively scene at sunrise this morning. I Deputy Realth Officer Tallmadge left the Qu

Dr. Abbott Minns a Cont.